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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,644	03/19/2004	Sook C. Chua	END920050015US1	7732

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IBM Corporation (SAUL-END) C/O Saul Ewing LLP
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Harrisburg, PA 17101

EXAMINER

CLOUD, JOIYA M

ART UNIT	PAPER NUMBER
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2444

MAIL DATE	DELIVERY MODE
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12/24/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/804,644	Applicant(s) CHUA, SOOK C.	
	Examiner Joiya M. Cloud	Art Unit 2444	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED _____ FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: _____.
- Claim(s) objected to: _____.
- Claim(s) rejected: 1-2, 4-9, 11-16, 18-22.
- Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

/William C. Vaughn, Jr./
 Supervisory Patent Examiner, Art Unit 2444

Continuation of 11. does NOT place the application in condition for allowance because: Examiner notes that the Final Rejection mailed 10/02/2008 is maintained, as the Applicant's claim amendments do not represent a change in scope, but merely contains the subject matter of cancelled claim 3. Moreover, Applicant argues A) "nothing in Ebro suggest that it can manage the invocation of multiple versions of a J2EE program s claimed herein." "domain name and service name are two very different concepts as is well known." Examiner respectfully disagrees. It is noted that nowhere does the Examiner assert that the use of "one dmain name per DAJP" is somehow the same as the use of identical service names for the invocation of multiple versions of the J2EE program, however it is very clear that Ebro discloses this functionality. Examiner submits that it is acknowledged by Applicant that in the invention claimed "the same service name is used for different versions of the same program." Examiner submits that the broadly claimed language "service name" is given the broadest reasonable interpretation, as Applicant has not defined in the instant claim what is specifically respresented by a service name. Moreover, Applicant's instant specification discloses a service name as merely and object name (see pargraph [0019] of Applicant's specification, "JNDI is a naming service that allows a program or container to register a name for an object (service). This name is commonly referred to as the JNDI name."). Ebro discloses the domain name as the name used to retrieve an object and thus to retrieve a version of a program, just as the service name is used to access the program versions. see paragraphs [0044], and [0195]-[0198]. Furthermore, Applicant's claim only requires that the same service name is used for different versions of the same program. Such features are disclosed by Ebro where each product version has just one binding and thus the same service name which invokes a program version although having multiple versions (see paragraphs [0044], [0195] and [0250]). Applicant argues B), "Nothing in Ebro suggest that it can manage the invocation of multiple versions of a J2EE program claimed herein. In addition, their does not appear to be any discussion in Ebro of the interposing of a JNDI proxy between each client and the application server, as is claims." In response to Applicant's argument, see Figure 10 and paragraphs [0190]-[0195] of the submitted prior art .